

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:18-CV-00091

SHARON K. WHITEHEAD,)	
Individually and as Executrix of the)	
Estate of JAMES T. WHITEHEAD,)	
Deceased)	
)	
Plaintiffs,)	
)	
v.)	
)	
AIR & LIQUID SYSTEMS)	
CORPORATION, et al.,)	
)	
Defendants.)	
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DEFENDANT GENERAL ELECTRIC COMPANY'S
MOTION FOR SUMMARY JUDGMENT

Defendant General Electric Company, (hereinafter “GE”), pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, moves for entry of summary judgment as to all claims asserted by Plaintiff against GE. There is no evidence that any act or omission by GE caused or contributed to the injuries and subsequent death of the decedent, Mr. James Whitehead. Thus Plaintiff’s claims as to negligent design defect and negligent failure to warn must fail as to GE. In addition, Plaintiff’s claims as to breach of implied warranty, gross negligence, willful, wanton, and reckless conduct, and punitive damages are without merit as to GE. As such, there is no genuine issue of material fact, and GE is entitled to judgment as a matter of law. In support of this motion, GE submits its brief filed contemporaneously herewith.

Dated: December 5, 2019.

Respectfully submitted,

/s/ Jennifer M. Techman

Jennifer M. Techman

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CERTIFICATE OF SERVICE

On December 5, 2019, **General Electric Company's Motion for Summary Judgment** was served on all counsel of record by electronic filing via CM/ECF.

/s/ Jennifer M. Techman
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